GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Revenue Department - Sri G.V.Nageswar Rao, former Tahsildar, Chakrayapet Mandal, YSR Kadapa District - Departmental Proceedings initiated on the allegations of making irregular webland entries - Charged proved - Major penalty of "Reduction to Lower Rank as Deputy Tahsildar" imposed - Appeal filed - allowed modifed the punishment as "withholding of four annual grade increments with cumulative effect"- Orders - Issued.

REVENUE (VIGILANCE -III) DEPARTMENT

G.O.Rt.No.76

Dated:23.01.2024
Read the following:

1. Proceedings of the CCLA, A.P., in Ref.No.VS.II(1))/29/2019, Dt:21.02.2019.
2. Proceedings of the Chief Commissioner of Land Admininstration, A.P., in Ref.No.VS.II(1))/29/2019 (C.No.805731), dt: 19.01.2023.
3. Appeal petition dt:09.02.2023 of Sri G.V.Nageswar Rao, former Tahsildar, Chakrayapet Mandal, YSR Kadapa District.
4. From the CCLA, Lr.Ref.No.V.S-II(1)/29/2019 (e.805731) Dt:13.03.2023.
5. Memo.No.REV01-LANA0CCLV(DISC)/32/2022-VIG.III(2), Dt:28.11.2023.

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O R D E R:

Whereas, it was brought to the notice of the Government that disciplinary proceedings were instituted against Sri G.V.Nageswar Rao, former Tahsildar, Chakrayapet Mandal, YSR Kadapa District on the allegation of making irregular webland entries for excess extent against the actual extent recorded in RSR in respect of Patta lands and Government lands and for recording Government lands as "Zerayathi Patta" of Kuppam and Nerusupalli Villages in the name of private persons without any recorded evidence to enable them to get excess bank loans as well as fake loans. After following the due procedure under Andhra Pradesh Civil Services (Classification Control & Appeal) Rules, 1991, as the charge framed against Sri G.V.Nageswar Rao, former Tahsildar, Chakrayapet Mandal, YSR Kadapa District is held proved, the Chief Commissioner of Land Administration, A.P., issued orders imposing a major penalty of "Reduction to Lower Rank as Deputy Tahsildar" against him vide reference 2nd read above.

2. Whereas in the letter 2nd read above, Sri G.V.Nageswar Rao, former Tahsildar, Chakrayapet Mandal, YSR Kadapa District has filed appeal petition before the Govt., Contending that that the purported enquiry report submitted by the District Collector vide letter dated 21/11/2022 was not communicated to him at all. He was not supplied / furnished with the enquiry report and in the absence of any enquiry report being furnished to him, it is perverse to say that he have not submitted any representation. Had the concerned authorities looked into the written statement of defense found in the record, certainly there would have been different conclusion arrived at. Having received the written statement of defense though delayed, a duty is cast upon the competent authority to examine the same and record its opinion / findings on the same. No such examination and consideration of the written statement of defense is taken into consideration and it was totally ignored without making / disclosing any reasons / observations as such. It is pertinent to submit that failure in communicating the enquiry report vitiates the whole enquiry proceedings in terms of Rule 21 (2) of Andhra Pradesh Civil Services (Classification Control & Appeal) Rules, 1991. As such the whole enquiry proceedings are vitiated and any conclusions arrived at on the basis of enquiry report as is communicated in the proceedings under appeal are liable to be set aside being nonest in the eye of law. For the above said reasons and other reasons that would be urged on any opportunity given to be for personal hearing, he has prayed the appellate authority to consider his appeal and pass appropriate proceedings in that regard setting aside the punishment imposed against him.

(P.T.O)

3. While sending a copy of the appeal petition, the Chief Commissioner of Land Administration, A.P was requested to examine the contents of the appeal petition filed by Sri G.V.Nageswar Rao, former Tahsildar, Chakrayapet Mandal, YSR Kadapa District and furnish a report along with specific remarks and connected records to take further action in the matter. Accordingly, in the reference 4th read above, the Chief Commissioner of Land Administration, A.P., has submitted the connected records and stated that the orders issued by CCLA & Special C.S. in the reference 2nd read above is self explanatory. A personal hearing has been conducted on 30.11.2023 and the appellant has attended and submitted his defense.

4. After careful examination of the records made available and statement submitted by the appellant during the personal hearing, it is observed that the appellant was responsible for irregularities in Webland mutations without proper records which is a signifcant error, however, upon reassessment, the major penalty of "Reduction to lower rank as Deputy Tahsildar" is reduced, permitting for his reinstatement as Tahsildar and decided to impose a penalty of "withholding of four annual grade increments with cumulative effect" against him.

5. Accordingly, in exercise of powers conferred under rule 37 (2) (c) of the Andhra Pradesh Civil Services (Classification Control & Appeal) Rules, 1991 Government hereby modify the major penalty of "Reduction to lower rank as Deputy Tahsildar" imposed against Sri G.V.Nageswar Rao, former Tahsildar, Chakrayapet Mandal, YSR Kadapa District as "withholding of four(4) annual grade increments with cumulative effect" against him.

6. The Chief Commissioner of Land Administration, A.P, Mangalagiri/ District Collector, YSR Kadapa shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN,IAS
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Sri G.V.Nageswar Rao, former Tahsildar, Chakrayapet Mandal, YSR Kadapa District
(through the Chief Commissioner of Land Administration, A.P., Mangalagiri.)

Copy to:-
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
The District Collector, YSR Kadapa District.
Sf/Sc

//FORWARDED:: BY ORDER//

SECTION OFFICER